IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.54915-M of 2006

DATE OF DECISION:31.10.2006

Sewa Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri R.K. Singla, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Shri A.K. Walia, Advocate
for the complainant.

Petitioner Sewa Singh apprehending his arrest in a non-bailable offence under Sections 326,324,323,148 and 149 IPC in cross version case FIR No. 393 dated 30.6.2006 under Sections 307,323,324,447,511,148 and 149 IPC, registered at Police Station Sadar Patiala, has filed this petition under Section 438 Cr.P.C. for anticipatory bail. Subsequently, offence under Section 25/27/54/59 of the Arms Act was also added in the aforesaid FIR.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in the cross version case, petitioner Sewa Singh (complainant side) is attributed only one injury by blunt weapon and the said injury was found to be simple in nature.

Counsel for the petitioner contends that in view of the order dated 11.9.2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact.

In view of the above, without expressing anything on the merits of the case, the interim bail, granted vide order dated 11.9.2006 is made absolute.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 31, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**